



INSPECTOR GENERAL REPORT

2006-10-0296

April 13, 2007

BUREAU OF MINES

The Inspector General David O. Thomas and Staff Attorney Amanda Schaeffer, after an investigation by Special Agent Mike Mischler, report as follows:

In October of 2006, the Office of the Inspector General (OIG) received a complaint regarding the Bureau of Mines of the Indiana Department of Labor (DOL). The complainant stated he had requested to inspect public documents from the Bureau of Mines and had been denied the right to inspect that paperwork. OIG Special Agent Mike Mischler was assigned to investigate.

Special Agent Mischler conducted an interview with the Deputy Commissioner of the Bureau of Mines. Attorney Tim Grogg of the DOL Occupational Safety and Health Administration (IOSHA) and Legal Affairs Division was present at this interview. Special Agent Mischler learned that the complainant frequently requests and is permitted to review records from the Bureau of Mines. However, on one occasion the complainant contacted the Bureau of Mines employee on his cell phone, requesting to view a public record. The Bureau of Mines employee does not have an administrative assistant and was out of the office at that time. The Bureau of Mines employee stated that he would be

willing to show complainant the records he requested, but that it was impossible at the time the complainant contacted him.

Attorney Grogg sent a letter to the complainant stating that in the future, all public records requests be directed to him in order to insure compliance with the Access to Public Records Act (APRA). Attorney Grogg also stated that complainant could now view the records that were previously unavailable when the complainant called the Bureau of Mines employee on his cell phone.

Should the complainant need additional information regarding APRA, he may contact the Indiana Public Access Counselor.

Dated this 13th day of April, 2007.

A handwritten signature in cursive script, reading "David O. Thomas".

David O. Thomas, Inspector General